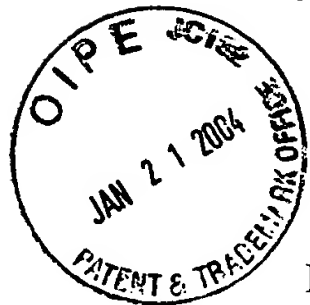


Image

1651



PATENT  
ATTORNEY DOCKET NO.: HIRA1180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takemi Aonuma  
Serial No.: 09/889,263  
Filed: October 16, 2001  
Title: MICROORGANISMS OF NOVEL SPECIES AND METHODS FOR USING SAME

Art Unit: 1651  
Examiner: Irene Marx  
Conf. No.: 1422

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL SHEET

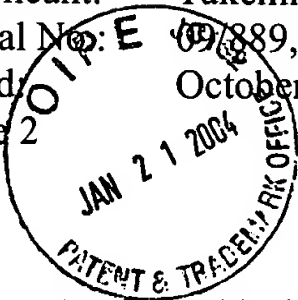
Sir:

Transmitted herewith for the above-identified application please find:

1. Response to Office Action (8 pages);
2. FIG. 1 (1 sheet);
3. PTO-1449 (1 page);
4. References noted on PTO-1449 (9 each); and
5. Return Receipt Postcard.

<b>CERTIFICATION UNDER 37 CFR §1.8</b>
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, January 14, 2004, in an envelope addressed to: Mail Stop: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Margaret M. Hasson
(Name of Person Mailing Paper)
(Signature)

Applicant: Takemi Aonumar  
Serial No: 09/889,263  
Filed: October 16, 2001  
Page 2



Applicant(s) claim **LARGE ENTITY** status in the above-identified application.

The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	3	20	0	x \$09	x \$18	\$ .00
Independent Claims	1	3	0	x \$43	x \$86	\$ .00
Multiple Claims				\$145	\$290	\$ .00
					TOTAL FEE	\$ .00

Applicants do not believe a fee is due with this filing. However, if it is deemed that a fee is due, the Commissioner is hereby authorized to charge any additional fees required by this filing, or credit any overpayment, to Deposit Account No. 50-1355. A copy of the transmittal sheet is enclosed.

Respectfully submitted,

Dated: January 14, 2004

Lisa A. Haile, Ph.D., J.D.

Registration No. 38,347

Telephone: 858-677-1456

Facsimile: 858-677-1465

**USPTO CUSTOMER NUMBER 28213**  
**GRAY CARY WARE & FREIDENRICH LLP**  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133



PATENT  
ATTORNEY DOCKET NO.: HIRA1180

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**RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed November 4, 2003, please consider the following amendments and remarks:

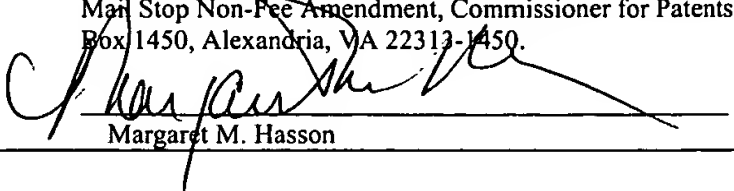
Amendments to the Specification begin on page two of this paper.

Amendments to the Claims are reflected in the listing of claims which begin on page four of this paper.

Remarks/Arguments begin on page six of this paper.

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on January 14, 2004, in an envelope addressed to:  
Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Margaret M. Hasson